

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEVIN RICHARDSON,¹

Case No. 2:23-cv-00037-ART-EJY

Petitioner,

ORDER

v.

RUSSELL,

Respondents.

On February 28, 2022, Petitioner Kevin Richardson, proceeding *pro se*, filed a petition for writ of habeas corpus in the United States District Court for the Northern District of California and paid the \$5.00 filing fee. (ECF No. 19.) The Northern District of California dismissed Richardson’s petition with leave to amend, instructing Richardson to file an amended petition within 28 days. (ECF No. 24.) Richardson filed an amended petition for writ of habeas corpus on the Northern District of California’s form, which differs from this Court’s form, on July 29, 2022, and “supplemental information” on August 5, 2022. (ECF Nos. 25, 26.) On January 5, 2023, the Northern District of California transferred this case to this Court because Richardson “was convicted in the Clark County Superior Court in the State of Nevada” and “is incarcerated at NNCC.” (ECF No. 27.) This Court entered a minute order on January 10, 2023, directing future documents filed in this action bear the new case number: 2:23-cv-00037-ART-EJY. (ECF No. 29.) That minute order was returned as undeliverable with the notation that Richardson is now located at High Desert State Prison.² (ECF No. 30.)

¹ The state corrections department’s inmate locator page states that the name Kevin Richardson is an alias used by Daniel W. Beard.

² The Local Rules of Practice require all parties, including habeas petitioners, to immediately file with the court written notice of any change of address. LR IA

1 It is therefore ordered that Petitioner Kevin Richardson file a second
 2 amended petition for writ of habeas corpus on this Court's form within 45 days
 3 of the date of this order. He must place the new case number, 2:23-cv-00037-
 4 ART-EJY, in the designated space and label it "second amended petition."

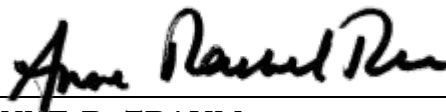
5 It is further ordered that Richardson update his address by filing a notice
 6 of change of address within 45 days of the date of this order. The Clerk of the
 7 Court is instructed to send Richardson a courtesy copy of this order at the High
 8 Desert State Prison.

9 It is further ordered that the motion for blank forms (ECF No. 10) is granted
 10 in part. The Clerk of the Court is directed to send Richardson—via courtesy copy
 11 to the High Desert State Prison—a blank copy of the form petition for a writ of
 12 habeas corpus pursuant to 28 U.S.C. § 2254 along with instructions.

13 It is further ordered that the motion to issue summons (ECF No. 14) is
 14 denied. Following Richardson's compliance with this order, the Court will conduct
 15 an initial screening of this matter under the Rules Governing Section 2254 Cases
 16 and determine whether service upon Respondents is warranted.

17 It is further ordered that Richardson's failure to timely comply with this
 18 Order—by (1) filing a second amended petition for writ of habeas corpus on this
 19 Court's form and (2) filing a notice of change of address—will result in the
 20 dismissal of this action without prejudice and without further advance notice.

21 DATED THIS 26th day of January 2023.

22
 23 

24 ANNE R. TRAUM
 25 UNITED STATES DISTRICT JUDGE

26 3-1, LR 2-2. The Local Rules also warn that failure to comply may result in
 27 dismissal of the action, with or without prejudice, or other sanctions as the court
 28 deems appropriate. *Id.*; see also *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir.
 1988) ("A party, not the district court, bears the burden of keeping the court
 apprised of any changes in his mailing address.").